

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

DENNIS LEE HOHOL,

Plaintiff,

v.

Case No. 25-cv-0529-bhl

GILBERT D. STEFFANIDES et al.,

Defendants.

DECISION AND ORDER

Plaintiff Dennis Lee Hohol, who is currently serving a state prison sentence at the Redgranite Correctional Institution and representing himself, filed a complaint under 42 U.S.C. §1983, alleging that his civil rights were violated. On July 8, 2025, the Court screened Hohol's amended complaint and allowed him to proceed on an Eighth Amendment medical care claim against Dr. Gilbert Steffanides and the unidentified members of the Special Needs Committee who allegedly denied a specialist's recommendation that Hohol have surgery to address his knee pain. Hohol also stated a claim against the unidentified provider who allegedly delayed ordering and/or administering injections to address Hohol's knee pain. *See* Dkt. No. 8 at 4.

On August 11, 2025, the Wisconsin Department of Justice refused to accept service of Hohol's amended complaint on behalf of Dr. Steffanides because he does not and did not work for the State of Wisconsin. The Court therefore transmitted the amended complaint to the U.S. Marshals Service for service on Dr. Steffanides. The Court will also name Warden Michael Gierach as a Defendant for the limited purpose of helping Hohol identify the John and/or Jane Doe Defendants. *See Donald v. Cook Cty. Sheriff's Dep't*, 95 F.3d 548, 556 (7th Cir. 1996). Warden Gierach does not have to respond to the amended complaint. After Warden Gierach's attorney

files an appearance in this case, Hohol may serve discovery requests upon Warden Gierach (by mailing it to his attorney at the address in the notice of appearance) to get information that will help him identify the names of the Special Needs Committee members who denied the knee surgery recommendation and the provider who allegedly delayed Hohol's knee injections. For example, Hohol may serve interrogatories (written questions) under Fed. R. Civ. P. 33 or document requests under Fed. R. Civ. P. 34. Because Hohol does not state a claim against Warden Gierach, Hohol's discovery requests must be limited to information or documents that will help him learn the names of the Doe Defendants. Hohol may not ask Warden Gierach about any other topic, and Warden Gierach is under no obligation to respond to requests about any other topic.

After Hohol learns the names of the individuals who he alleges violated his constitutional rights, he must file a motion to identify the Doe Defendants. Again, the *only* people against whom Hohol states a claim are the Special Needs Committee members who allegedly denied the knee surgery recommendation and the provider who allegedly delayed Hohol's knee injections. Hohol must take care to identify only those individuals in his motion. This is not an opportunity to state different claims against different individuals. The Court will dismiss Warden Gierach as a Defendant once the Doe Defendants are identified. After the identified Defendants have an opportunity to respond to Hohol's amended complaint, the Court will enter a scheduling order and set a deadline for discovery. Only after the Court enters a scheduling order may Hohol use discovery to get the information he believes he needs to prove his claims.

Hohol must identify the names of the Doe Defendants within sixty days of Warden Gierach's attorney filing a notice of appearance. If he does not or does not explain to the Court in writing why he is unable to do so, the Court may dismiss Hohol's claims against the Doe Defendants based on his failure to comply with the Court's order.

IT IS THEREFORE ORDERED that Warden Michael Gierach will be named as a Defendant for the limited purpose of helping Hohol identify the Doe Defendants' names. The clerk's office will update the docket accordingly.

IT IS FURTHER ORDERED that pursuant to an informal service agreement between the Wisconsin Department of Justice and this Court, copies of Hohol's amended complaint and this order are being electronically sent today to the Wisconsin Department of Justice for service on Warden Gierach.

IT IS FURTHER ORDERED that Warden Gierach does not have to respond to the amended complaint; however, he shall respond to discovery requests that Hohol serves in an effort to identify the Doe Defendants' names. Warden Gierach does not have to respond to discovery requests about any other topic.

IT IS FURTHER ORDERED that Hohol must inform the Court of the Doe Defendants' names within 60 days of Warden Gierach's attorney filing an appearance in this case. If Hohol does not do so or does not advise the Court in writing why he is unable to do so, the Court may dismiss Hohol's claims against the Doe Defendants based on his failure to comply with the Court's order.

Dated at Milwaukee, Wisconsin on August 20, 2025.

s/ Brett H. Ludwig

BRETT H. LUDWIG

United States District Judge